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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,698	01/02/2004	William D. Cottrell	8534-001	3826
4678	7590	11/21/2007		
MACCORD MASON PLLC 300 N. GREENE STREET, SUITE 1600 P. O. BOX 2974 GREENSBORO, NC 27402			EXAMINER EDELL, JOSEPH F	
			ART UNIT 3636	PAPER NUMBER
			MAIL DATE 11/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/750,698

Applicant(s)

COTTRELL ET AL.

Examiner

Joseph F. Edell

Art Unit

3636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-27 and 29-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-27 and 29-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 29 August 2007 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-9, 11-13, 15-27, 29-31, and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,883,870 B2 to Jost in view of U.S. Patent No. 6,092,705 to Merritt.

Jost discloses a vehicle mounted peripheral device station that is basically the same as that recited in claims 1-9, 11-13, 15-27, 29-31, and 33-36 except that the specified means for securing is not taught, as recited in the claims. See Figures 1-6 of Jost for the teaching that the vehicle mounted peripheral device station has a vehicle

seat 7 (see Fig. 3) adapted to receive a removable headrest, a peripheral device 8 (see Fig. 2) separate from the headrest, an adaptor 12,14 for replacing the removable headrest (see column 4, lines 33-54), and a means for securing the peripheral device to the adaptor being clamping of the peripheral device (see column 2, lines 28-31), a support surface 14 attached to the adapter that is a plated with a plurality of edges and a plurality of side walls to frictionally receive the peripheral device, the plurality of side walls including a front wall, a first side wall, a second side wall, and a non continuous back wall, first and second receptacles 20,20 in the seat to receive first and second posts 6,6 of the adaptor wherein at least one of the post is adjustable to modify the distance between the post, and at least one post is capable of vertical pivoting about an axis formed along sleeve 19. See Diagram A below showing that at least one of the plurality of side walls of Jost is noncontinuous and by portions of the front wall being removed the overall height of the wall is reduced.

Merritt shows a vehicle mounted peripheral device station similar to Jost wherein the adaptor 1,13 (see Fig. 1) and peripheral device 2 are secured via hook and loop fasteners, which covers the corresponding structure described in the instant specification. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the station of Jost such that the means for securing the peripheral device to the adaptor is hook and loop fasteners, such as the station disclosed by Merritt. One would have been motivated to make such a modification in view of the suggestion generally available to one of ordinary skill in the

art that hook and loop fasteners are inexpensive fasteners that allow the two structural piece to be repeatedly attached and detached from one another.

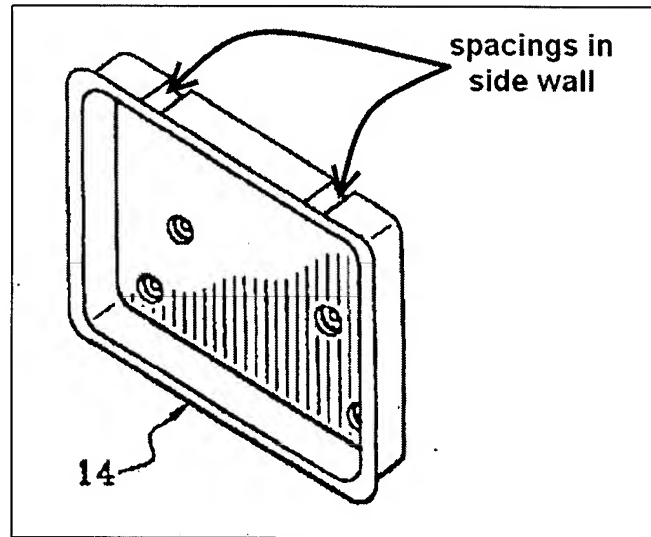


Diagram A - Annotated Figure 3 of Jost

4. Claims 14 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jost in view of Merritt as applied to claims 1-9, 11-13, 15-27, 29-31, and 33-36 above, and further in view of U.S. Publication No. 2003/023455 A1 to Brooks et al.

Jost, as modified, discloses a vehicle mounted peripheral device station that is basically the same as that recited in claims 14 and 32 except that the peripheral device lacks a printer, as recited in the claims. Brooks et al. shows a peripheral device similar to that of Jost wherein the peripheral device includes a visual displaying device 72 (see Fig. 4) with a printer 92. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the station of Jost such that the peripheral device includes a printer, such as the peripheral device disclosed in Brooks et al. One would have been motivated to make such a modification

in view of the suggestion in Brooks et al. that the peripheral device with a printer that communicates with a DVD playing computer display.

***Response to Arguments***

5. Applicant's arguments filed 29 August 2007 have been fully considered but they are not persuasive. Applicant argues that the peripheral device station of Jost is integrated with the headrest. Examiner reasonably interprets the claim limitation "separate" as distinguished from others by nature or qualities. The peripheral device 8 (as shown in Figure 2) of Jost is clearly distinguished from the headrest 1 by its qualities wherein the headrest provides support, via foam 2, to the seated user while the peripheral device provides entertainment to the rear seated user. Moreover, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. Herein, Jost in view of Merritt teaches a peripheral device station with a means for securing that utilizes hook and loop fasteners, which further illustrates that the peripheral device is separate from the headrest. Therefore, Examiner maintains the rejection of independent claims 1, 15, and 20.

***Conclusion***

6. This is a request for continued examination under 37 CFR 1.114 filed in this application after final rejection. All claims are drawn to the same invention claimed earlier in the application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered earlier in the application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

67. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph F. Edell whose telephone number is (571) 272-6858. The examiner can normally be reached on Mon.-Fri. 8:30am-5:00pm.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
JOE EDELL  
PRIMARY EXAMINER

Joe Edell  
November 19, 2007